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QUESTION OF THE VIOLATION OF HUMAN RIGHTS IN THE OCCUPIED ARAB TERRITORIES, INCLUDING PALESTINE

Note verbale dated 3 December 1996 from the Permanent Mission of the League of Arab States to the United Nations Office at Geneva addressed to the High Commissioner for Human Rights/ Centre for Human Rights

The Permanent Mission of the League of Arab States to the United Nations Office at Geneva presents its compliments to the High Commissioner for Human Rights/Centre for Human Rights and has the honour to transmit herewith the monthly report on Israeli practices in the Palestinian and occupied Arab territories for October 1996.

The Permanent Mission of the League of Arab States wishes to express its deep concern at the aggravation of the situation of Arab civilians in the territories occupied by Israel, as described in the attached report. It requests the High Commissioner for Human Rights/Centre for Human Rights to consider this report as an official document and to circulate it to the members of the Commission on Human Rights at its fifty-third session.

Annex

[Original: Arabic]

Monthly report on the latest developments on the question of Palestine and on the activities of the Department of Palestinian Affairs during the month of October 1996

1. Israeli measures in the West Bank

The Gaza Centre for Rights and Law confirmed that the Israeli authorities had sealed off the areas under the control of the National Authority on 14 occasions for a total period of 108 days during the present year. During the current month, the Israeli authorities continued their policy of imposing a military cordon, thereby inflicting further losses and suffering on the Palestinians in all economic, health, agricultural and educational fields, in addition to the military roadblocks which have been established everywhere and which are impeding the freedom of movement of Palestinian citizens and preventing them from engaging in their daily activities in a normal manner.

During the current month, the Israeli authorities also continued their policy of confiscating further areas of Arab-owned land, which were subjected to repeated encroachments by the Israeli army or settlers with a view to the construction of bypass roads designed to link the settlements and fragment the geographical unity of the Arab areas.

With regard to the confiscation of land, on 16 October 1996 settlers from the settlement of Yitzhar seized control of 40 dunums of land belonging to the village of Hawara and, on 17 October 1996, settlers protected by the Israeli army seized 500 dunums of land at Hebron and in the district of Bethlehem. Israeli plans were also made to confiscate further areas of Palestinian land.

Land belonging to the towns and villages of Salfit, Tubas, Tammun, Idna, Qalqilya, Qusin and Deir Istiya, among others, were subjected to encroachments by settlers and Israeli bulldozers which destroyed crops and prevented farmers from reaching their lands.

On 28 October 1996, the Financial Committee of the Israeli Knesset announced that it had approved an additional allocation of $4.6 million to meet the cost of the construction of new bypass roads in the West Bank and Gaza Strip. The principal roads that were constructed or widened during the current month included the following:

(a) On 16 October 1996, Israeli bulldozers began to widen the bypass road to the settlement of Alfei Menasheh to the south of the town of Qalqilya;

(b) On 14 October 1996, the Israeli authorities began the construction of a military road at one of the villages in the district of Bethlehem.

According to informed sources, since the signing of the Oslo agreement in September 1993, Israel has confiscated 290,000 dunums of Palestinian land, uprooted 32,000 fruit-bearing trees and constructed about 400 km of bypass roads for Jewish settlers.

Following the decision by Binyamin Netanyahu, the Israeli Prime Minister, to lift the restrictions that had been imposed on the occupation of prefabricated housing units, the current month witnessed a large-scale settlement campaign which, far from being confined to the settlement of Jews in those empty units, led to the establishment of new settlements.

On 23 October 1996, the Financial Affairs Committee of the Israeli Knesset decided to allocate funds for the occupation of 2,400 housing units in the West Bank settlements. It transpired that 1,700 of those housing units had actually been occupied illegally since Netanyahu's victory in the elections held last May.

On 29 October 1996, Israeli sources revealed the existence of a plan to establish a new settlement bloc, comprising 8,000 housing units, on land in the West Bank for the establishment of which Orthodox Jewish groups had been given the green light by Prime Minister Netanyahu. The aim of this project is to establish a new settlement known as Modi'in Eilit which would form a settlement bloc with the settlements of Ursamih, Matityahu and Kiryat Sefer.

On 28 October 1996, the Israeli Government decided to sell 3,500 empty housing units in a number of settlements and a start was made on land surveying and preliminary work for the expansion of several other settlements in the West Bank with a view to the construction of about 800 new housing units in the Gush Etzion settlement area.

With regard to Israeli encroachments on holy places in general, and Jerusalem in particular, the Israeli authorities reopened the door of the tunnel passing under the western wall of the Al-Aqsa Mosque, thereby giving rise to widespread indignation among the residents of Jerusalem and the Palestinian masses.

According to Israeli sources, the Minister for Internal Security was currently formulating a plan to double the number of the Israeli security forces in Jerusalem in order to improve the level of security there and control the Holy City which will form the subject of political negotiations in coming years.

It was also revealed that the Israeli Government had a new plan to seize Arab land and houses in the heart of the city. The driving force behind this plan was Ariel Sharon, the Minister for Infrastructure, who had instructed the Israel Lands Administration to expropriate Arab-owned houses and land on the pretext of building a large museum and expanding a site on which a monument to Israeli soldiers had been erected.

The Israeli authorities have also begun the construction of a 600 m long overhead walkway in the precincts of Rachel's Tomb for the benefit of the Orthodox Jews who visit that place. A start has been made on the erection of

three prefabricated houses covering an area of 150 m^2 with a view to expanding the site and accommodating the largest possible number of settlers. The purpose of this measure is to seize the site, particularly since Israeli troops have been positioned inside the Islamic cemetery adjoining Rachel's Tomb, thereby encroaching on Islamic waqf (religious endowment) property.

In addition to the young man Ra'id Muhammad who died as a result of the wounds that he suffered during the events of 29 September 1996, the current month also witnessed the martyrdom of three other persons (two residents of Sinjil in the district of Ramallah, namely Fathi Ali al-Sahouri and Abdullah Abdul Ra'ouf Karakireh, who were killed when settlers opened fire on them, and the 11-year-old Hilmi Shusheh who died after being struck on the head by an Israeli soldier).

2. Palestinian-Jordanian relations

On 15 October 1996, H.M. King Hussein paid an official visit to the town of Jericho, which was the first such visit by an Arab leader to the land of Palestine. His Majesty held a meeting with the Palestinian President Yasser Arafat and a number of senior Palestinian officials during which he emphasized his support for the peace process and, in particular, for the Palestinian-Israeli negotiations. He stressed the need to pursue those negotiations and to overcome all the obstacles impeding them.

During the meeting, H.M. King Hussein emphasized that the Palestinian people would receive full support from Jordan, with all its resources and potential, with a view to the fulfilment of their hopes and aspirations concerning their legitimate rights and Jordan would continue to play its role by making every possible endeavour to save the peace process in order to achieve a just and comprehensive peace in the region.

The meeting was attended, on the Jordanian side, by Prime Minister Abdul Karim al-Kabariti and Mr. Awn al-Khasawneh, Chief of the Royal Hashemite Court, and, on the Palestinian side, by Mr. Mahmoud Abbas, Secretary of the Executive Committee, Mr. Al-Tayyib Abdul Rahim, Secretary-General of the Presidium, and Mr. Saeb Ereikat, Minister for Local Government.

H.M. King Hussein instructed the competent health authorities in the Hashemite Kingdom of Jordan to provide all the requisite facilities for the treatment and convalescence of the persons who were wounded or injured during the valiant Al-Aqsa uprising and who had gone to Amman to receive the necessary treatment as a generous gesture on His Majesty's part.

In the wake of the sanguinary events that took place in the Palestinian National Authority areas after the Israeli authorities opened the tunnel in the precincts of the Al-Aqsa Mosque, nine serious cases were brought to Amman for treatment at the hospital attached to the Arab Cardiology Centre and the new Jordan Hospital in view of the severe injuries that they had suffered, mainly in the upper parts of their bodies. His Majesty's noble gesture in treating those difficult cases at the Kingdom's hospitals confirmed the

Jordanian-Palestinian solidarity, as well as tne links of affection and friendship that unite the two fraternal peoples, and highlighted the manner in which Jordan is supporting and assisting the Palestinian people and their National Authority.

On 24 October 1996, Dr. Nabil Sha'ath arrived in the Jordanian capital where he was received by Mr. Abdul Karim al-Kabariti, the Jordanian Prime Minister, to whom he transmitted a verbal message from President Yasser Arafat concerning the latest political developments in the region and the outcome of the talks with the Israeli side. The two parties discussed bilateral questions and the progress of the negotiations.

On 26 October 1996, Mr. Al-Tayyib Abdul Rahim, Secretary-General of the Presidium of the Palestinian National Authority, received Mr. Ziyad al-Majali, Jordanian representative to the Palestinian National Authority, and acquainted him with the latest political developments in the light of the current negotiations with the Israeli side. They also discussed ways to promote closer cooperation between Jordan and Palestine.

On 27 October 1996, at Amman, the Jordanian Prime Minister met Mr. Faisal al-Husseini, the PLO official responsible for the Jerusalem file, and the two parties discussed the importance of concerted endeavours and a united stand in order to save the peace process from the dangers with which it was threatened.

The civil aviation authorities of Jordan and Palestine agreed to hold training courses for senior Palestinian staff so that they could operate the Palestinian airlines and Gaza airport. A complete training programme was prepared for those staff.

3. Palestinian-Israeli relations and activities of the Palestinian National Authority

(a) Palestinian-Israeli relations

In the wake of the acute crisis that overshadowed Palestinian-Israeli relations after the Israeli authorities opened a tunnel in the precincts of the Al-Aqsa Mosque, thereby giving rise to sanguinary confrontations, the region witnessed noteworthy Israeli-Palestinian activities and meetings in which attempts were made to reconcile the two sides and achieve a mutual understanding with a view to the implementation of the agreements that had been concluded but the implementation of which had been delayed due to the change of government in Israel.

After the confrontations, the American President Bill Clinton invited the Israelis and Palestinians to hold a joint meeting in Washington. Accordingly, at the beginning of the current month, a quadripartite summit meeting was held and attended by the American President, Palestinian President Yasser Arafat, Israeli Prime Minister Binyamin Netanyahu and His Majesty King Hussein.

During this quadripartite summit, which lasted for several days, closed meetings were held between the Israeli and Palestinian sides which discussed ways to ensure the advancement of the peace process and the implementation of all the agreements. It was agreed that the Joint Steering Committee would resume its meetings in order to devise ways and means to put the agreements into effect.

Accordingly, on 6 October 1996, the Higher Steering Committee held its first meeting, at which the Palestinian and Israeli delegations were headed, respectively, by Saeb Ereikat and Dan Shomron, to discuss the redeployment of the Israeli forces at Hebron, as well as the other agreements that had not yet been implemented, such as those concerning the security corridor between the West Bank and the Gaza Strip, the release of the detainees held in Israeli prisons and the operation of the Palestinian airport in the Gaza Strip.

After 22 days of negotiations in various main and subsidiary committees at Jerusalem, Tel Aviv, Taba and near the Beit Hanun crossing point, by the end of the current month the two sides had failed to devise ways to put the agreements into effect and no significant progress had been made. This was due to Israel's obstinate insistence on reviewing and amending the agreements that had already been concluded on the pretext that they did not meet Israel's security requirements. The Palestinian side, on the other hand, insisted that the agreements should be implemented as they stood.

On 15 October 1996, a meeting was held at President Yasser Arafat's guest palace at Beit Hanun between officials of the Palestinian Ministry of Agriculture and the Adviser to the Israeli Ministry of Agriculture. The Palestinian side confirmed its rejection of the proposed "Sufa" corridor unless the Israeli side agreed to the Palestinian conditions.

On 16 October 1996, the Palestinian delegation consisting of members of the Legislative Council visited the Israeli Knesset in response to an invitation from the political party known as the United Arab List. The Palestinian and Israeli parliamentarians emphasized the importance of dialogue between the two peoples and the achievement of a just and comprehensive peace.

On 17 October 1996, Avi Osher, a member of the Israeli Knesset from the Labour Party, visited the town of Tulkarm where he met the governor of the town and the chief Palestinian military liaison officer at the local liaison office.

On 20 October 1996, the Palestinian and Israeli sides held a meeting at the joint military liaison office in the town of Qalqilya where they discussed the erection by the Israeli authorities of a 1.5 km security fence to the north of the road leading to the settlement of Alfei Menasheh, since the Palestinian side objected to the erection of that fence which encroached on Arab-owned land.

The Israeli authorities postponed the negotiations concerning the operation of Gaza International Airport which had been scheduled to take place on 21 October 1996, thereby provoking indignation among the Palestinians who accused Israel of procrastinating and attempting to obstruct the signature of the protocol concerning the operation of the airport.

On 22 October 1996, in the town of Bethlehem, Palestinian President Yasser Arafat received Israeli members of the Knesset, including members of the Israeli opposition such as Salih Tarif from the Labour Party and Salih Selim from the Democratic Front for Peace and Equality.

On 29 October 1996, Palestinian and Israeli officials held a meeting at the military liaison office in the "Martyrs' Triangle" at Jenin. The two sides agreed to station joint patrols at the southern entrance to the town of Jenin as a first step towards the resumption of mobile patrols in the near future.

(b) Activities of the Palestinian National Authority

On 17 October 1996, Palestinian President Yasser Arafat inaugurated the building of the Ministry of Posts and Telecommunications and put into operation the new switchboards providing 100,000 telephone lines for the Gaza Strip in order to expand and develop the existing network through the use of modern technology.

On 6 October 1996, the Palestinian leadership held a meeting which was attended by members of the Executive Committee of the Palestine Liberation Organization as well as members of the Council of Ministers of the Palestinian National Authority and senior members of the Legislative Council and the National Council. The participants stressed the need to demand the redeployment at Hebron and the cessation of Israeli breaches of the Oslo agreements.

The Palestinian Civil Aviation Authority took part in the meetings of the Council of Arab Ministers of Transport and Communications, which was held on 23 October 1996 at the headquarters of the secretariat of the League of Arab States at Cairo.

On 28 October 1996, it was announced that, by decision of Palestinian President Yasser Arafat, the Board of Directors of Palestinian Airlines, to be based at Gaza, had been formed and Air Commodore Fayez Zeidan had been appointed General Manager of the Company, which would be capitalized at $50 million.

4. Activities of the Department of Palestinian Affairs

The value of the projects implemented by the Department of Palestinian Affairs at the refugee camps in the Hashemite Kingdom of Jordan during the current year amounted to 914,066 dinars at 13 camps within the framework of the annual support that the Department provides in collaboration with the committees for the enhancement of services at the camps in order to improve the living conditions of the refugees and displaced persons and upgrade the infrastructure in those camps.

The projects included maintenance of main roads, entrances and internal thoroughfares, the construction of development complexes, sewage projects and lighting projects for the main and subsidiary streets in all the camps.

With effect from 15 October 1996, the Department of Palestinian Affairs ceased the distribution of ration cards and coupons for 1996 to displaced persons who had not received their entitlements so that it could make the necessary arrangements to formulate a plan of action for the distribution of coupons for the coming year.

It should be noted that, during the current year, the Department of Palestinian Affairs supervised the issue of 23,350 cards for 139,194 displaced persons. The number of cards actually issued and received by the persons entitled thereto in accordance with the relevant regulations and instructions amounted to 21,870, on which the names of 131,933 persons were entered. Every person received 24 kg of sugar and a similar amount of rice during the year. The cost of the distributed items amounted to about 1.5 million dinars.

On 20 October 1996, Mr. Muhammad Said al-Tarzi, the governor of the Balqa region, inaugurated the new building of the Baqa'a camp services committee in the presence of Mr. Ibrahim al-Tarshihi, Director General of the Department of Palestinian Affairs. The building, covering an area of about 500 m^2, cost 122,000 dinars. The committee's headquarters were inaugurated within the context of the celebrations on the occasion of the opening of the camp services committee's development complex consisting of three storeys and covering a total area of 1,200 m^2 and containing warehouses, commercial and administrative offices, medical clinics and a general assembly hall.

In response to a memorandum received from H.E. Mr. Muhammad Daoudiyeh, Minister for Youth, Prime Minister Abdul Karim al-Kabariti requested the Minister of Finance to earmark an amount of 100,000 dinars from the 1997 budget of the Department of Palestinian Affairs to subsidize the 13 camp clubs and construct permanent premises for them so that they could serve their members and their communities in an appropriate manner.

5. Israeli activities

(a) Israeli-Jordanian relations

The recent Israeli measure in the city of Jerusalem, consisting in the opening of a tunnel in the immediate vicinity of the Al-Aqsa Mosque, seriously affected Israeli-Arab relations in general and Jordanian-Israeli relations in particular.

During the current month, Jordanian-Israeli relations experienced what was described as their most severe crisis since the two countries signed the peace agreement. Israel's recent measures and repeated procrastination gave rise to widespread reactions inside Jordan and prompted His Majesty King Hussein to express his feelings of indignation and anger towards the Israeli side. He criticized the Israeli Government in strong terms and urged it to honour its commitments by putting the agreements fully into effect. He said that Jordan was firmly opposed to any review or renegotiation of any of the agreements signed between Israel and any other Arab party.

At the same time, His Majesty re-emphasized that the Government and people of Jordan were totally opposed to Israel's opening of the tunnel and described that Israeli measure as an act prejudicial to the principles on which the Oslo agreements were based.

In the same context, Mr. Abdul Karim al-Kabariti, the Jordanian Prime Minister, summoned the Israeli ambassador to Jordan and handed him a strongly worded note of protest concerning Israel's opening of the tunnel in Jerusalem.

In keeping with Jordan's desire to ensure the continuation of the peace process and to secure the legitimate rights of the Jordanian and Palestinian peoples, His Majesty King Hussein participated in the quadripartite summit meeting held in the United States of America and attended by Clinton, Arafat and Netanyahu for the purpose of discussing ways and means to further the peace process, overcome the recent disputes that had arisen and return to the negotiating table to complete the implementation of the agreements.

During their discussions at Amman on 21 October 1996, the Jordanian and Israeli sides agreed to permit the Jordanian airline "Royal Wings" to operate two additional flights each week from Amman to Haifa, thereby increasing the number of flights from Amman to Israel to seven per week.

On 20 October 1996, the joint Jordanian-Israeli committee monitoring the implementation of the transport agreement held a meeting at Amman to discuss questions concerning Customs, transit by trucks and buses, transit fees and insurance.

On 30 October 1996, Jordanian-Israeli discussions were held at Eilat within the framework of the joint Eilat-Aqaba committee supervising the implementation of the Eilat-Aqaba agreement concluded between the two countries as part of the Jordanian-Israeli peace treaty. The Israeli delegation to the meeting was headed by Mr. Shimon Shamir, Israeli ambassador at Amman, while the Jordanian delegation was headed by Mr. Fayez al-Khasawineh. The discussions focused on the easiest ways to enable persons from both countries to travel between Aqaba and Eilat.

(b) Israeli-Arab relations

The current month witnessed a setback in Israeli-Qatari relations, since the Qatari Minister for Foreign Affairs announced that his country had decided to suspend the normalization of relations with Israel. The Qatari Government informed Israel that it held the latter and its Prime Minister responsible for this situation and was deeply concerned at Israel's denunciation of the memorandum of understanding under which Qatar was accorded preference in regard to the export of natural gas to Israel. The Qatari Government expressed its fear that relations between the two States would deteriorate, particularly since the development of the joint gas project was regarded as the principal basis for economic cooperation between the two States.

Israeli sources said that, in the light of the recent developments, the State of Qatar had decided to suspend the negotiations concerning the establishment of an Israeli embassy on its territory.

The Israeli head of State, Ezer Weizman, held a series of discussions with Egyptian President Hosni Mubarak during his visit to Cairo on 14 October 1996. The two parties emphasized their countries' desire to continue the peace process and said that they would do their utmost to achieve peace between Israel and all the Arab parties.

On 16 October 1996, at Jerusalem, the Israeli Prime Minister, Binyamin Netanyahu, met the representatives of the Arab States that had established relations with Israel. The meeting, which was attended by the ambassadors of Egypt and Jordan and the representatives of the Sultanate of Oman, Tunisia and Mauritania, reviewed the respective viewpoints and stressed the need for the continuation of negotiations with the Palestinian side with a view to the implementation of the agreements.

On 25 October 1996, at Tel Aviv, Shimon Peres, leader of the opposition Labour Party, met Muhammad Basyouni, Egyptian ambassador to Israel, and preparations were made for Peres' visit to Egypt, which took place on 27 October 1996 and during which Shimon Peres met Egyptian President Hosni Mubarak at Sharm el-Sheikh where the two parties discussed the latest developments in the peace process.

Israeli sources in the Department of Foreign Trade at the Ministry of Trade and Industry announced that representatives of the Ministries of Foreign Affairs and Trade had decided, during a meeting held on 24 October 1996, to remove Oman and Qatar from the list of States with which trade was prohibited as a first step towards the granting of permission for Qatari and Omani exports to enter Israel.

On 29 October 1996, the Higher Appointments Committee at the Israeli Ministry of Foreign Affairs decided to appoint Zvi Mazael as Israel's ambassador to Cairo where he would replace Ambassador David Sultan who had been appointed ambassador to Canada.

(c) The internal situation in Israel

On 7 October 1996, the Israeli Knesset decided to lift the parliamentary immunity of Ehud Olmert, the mayor and parliamentary representative of Jerusalem, so that his suspected use of falsified invoices for the benefit of the Likud bloc in 1988 could be investigated.

On 16 October 1996, Knesset member Ephraim Snei announced his decision to stand for election as the Labour Party's candidate for the post of Prime Minister.

On 17 October 1996, senior Israeli authorities decided to appoint Moshe Katsav, the Minister for Tourism, as Minister for Arab Affairs, a post that had been abolished in the time of the previous Labour Government.

On 27 October 1996, the official spokesman for the Israeli Ministry of Internal Security confirmed that an office of the American Federal Bureau of Investigation (FBI) had been opened in Israel near the United States Embassy at Tel Aviv.

On 28 October 1996, the Knesset Parliamentary Committee decided to lift the parliamentary immunity of Raphael Pinchasi (Shas) so that he could be put on trial on the charge of making false statements and obtaining things by fraud and deceit.

6. Activities of UNRWA

Mr. Peter Hansen, the Commissioner-General of the United Nations Relief and Works Agency (UNRWA), confirmed that General Assembly resolution 194, concerning the refugees' right to return or receive compensation, still applied but the question as to whether it would be implemented depended on the outcome of the negotiations between the parties concerned.

Mr. Hansen expressed optimism that the Agency would receive adequate financial assistance to avoid the need to reduce the standard of the services that it was rendering to the refugees. This optimism was attributable to the fact that some States and other donors intended to increase their contributions for the coming year and, in particular, a three-year agreement would soon be signed with the European Union under the terms of which the latter would continue to increase the amount of its assistance in proportion to the rate of population growth among the refugees.

Mr. Omar Ghabayin, UNRWA's Director of Education at Amman, commended the manner in which the Jordanian Ministry of Education had been cooperating on all educational matters, academic curricula and joint study projects.

Mr. Ghabayin said that the Agency was committed to providing basic education for the refugee children at the camps and wherever they might be living. He indicated that the number of male and female students enrolled at the UNRWA schools during the present academic year amounted to 148,000, distributed among 198 schools employing a staff of 4,015 male and female teachers. He pointed out that, during the present year, 75 students who had graduated at the general secondary level had been admitted to the Agency's teacher training college at Amman where 900 students were currently studying.

The Agency had suspended the emergency programme to provide employment opportunities for Palestinian refugees in the Gaza Strip following the exhaustion of the $5 million appropriated for that programme, during the last six months of which the Agency had been able to provide 2,742 short-term jobs.

On 28 October 1996, the UNRWA Director in the Gaza Strip and an official from the Netherlands legation at Ramallah signed an agreement under the terms of which the Netherlands would be providing UNRWA with assistance to renovate 229 houses and add extra rooms to 61 other houses for refugees in the Gaza Strip.